



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 10, 2009

TO: Mayor and Councilmembers

FROM: General Services Division, Finance Department

SUBJECT: Emergency Purchase Orders Issued For The Tea Fire

RECOMMENDATION:

That Council retroactively approve the issuance of emergency purchase orders to Tierra Contracting, Inc., in the amount of \$79,970 to construct debris racks, and to Acacia Erosion Control, Inc., in the amount of \$73,000 for slope stabilization and erosion control.

DISCUSSION:

Municipal Code Section 9.116.060(2) empowers the City Administrator "to obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people and bind the City for the fair value thereof." Two emergency purchase orders were issued during the Tea Fire under this section of the Municipal Code.

The Tea Fire was a declared disaster that burned approximately 1,670 acres within the Sycamore Creek watershed and caused severe loss of vegetation and groundcover, and the high fire temperatures rendered some burned soils hydrophobic. As a result, runoff from future rains was anticipated to be 10 to 15 times higher than normal, leading to potential erosion and serious flooding. Because weather forecasters were predicting rain within ten days after the fire was contained, the City had to act quickly to mitigate or prevent additional damage from flooding and mudslides, and there was not sufficient time to follow the City's normal bidding process. Two emergency purchase orders (EPO) were issued to address immediate life and safety concerns, which did not follow the applicable bidding requirements. One EPO was issued to Tierra Contracting, Inc. (Tierra) in the amount of \$79,970 to construct debris racks and another to Acacia Erosion Control, Inc. (Acacia) in the amount of \$120,000 for slope stabilization and erosion control.

Sycamore Creek Debris Rack Installation – Tierra Contracting

A few days after the fire, Santa Barbara County Flood Control (SBCFC) made a strong recommendation that the City construct debris racks at strategic locations in the

Sycamore Creek watershed to prevent debris from clogging City bridges and drainage systems downstream. Tierra was selected based on their prior experience with the Gap Fire.

Following the Gap Fire, the SBCFC had several debris racks designed and installed in burn area watercourses. They offered the City the debris rack design drawings and encouraged the City to contact Tierra to fabricate and install the City debris racks. They were the contractor that installed the Gap Fire debris racks and had the experience to perform the City work in a timely manner.

Staff received a bid from Tierra in the amount of \$72,700 for two debris racks and compared it to the bids received by SBCFC for the debris racks installed by SBCFC in Gap Fire watershed. The Tierra bid to the City was less than the average bids received by the SBCFC for comparable debris racks installed for the Gap Fire. Subsequently, the City issued an EPO to Tierra in the amount of \$79,970 that included the bid amount plus 10% for extra services.

The location of the two debris racks installed in the Tea Fire watercourses within the City are 1) north of the Parma Park entrance bridge, and 2) north of the intersection of Sycamore Canyon Road and Coyote Road.

Extra Services were authorized in the amount of \$1,647.80 for erosion control on the embankment adjacent to the installed Parma Park debris rack. The total amount spent so far for this EPO is \$74,347.50.

Parma Park Hydromulching and Erosion Control – Acacia Erosion Control

Immediately after the Tea Fire was contained, Acacia Erosion Control Inc. (Acacia) was prepared to go into the field to perform hydromulching on portions of the burned slopes within Parma Park. The hydromulch application was designed to reduce the risk of erosion, mudslides, and flooding due to the fire.

The Tea Fire created a critical erosion, mudslide, and flooding emergency and did not afford time to conduct a formal bidding process. The number of qualified vendors available to conduct hydromulching work is limited. Acacia was the only vendor of several contacted by Parks and Recreation staff that could mobilize and begin hydromulch application within 24 hours. With a forecast for imminent rain, it was critical that the hydromulch be applied as soon as possible. If it rained before hydromulch was applied, significant erosion and flooding could have occurred and the unpaved access roads in Parma Park may have become too slippery to allow continued access. Acacia also has experience controlling post-fire erosion using hydromulch as the company treated a recently burned area in San Diego County.

Based on an analysis of slopes, access, and other factors, it was estimated that up to 60 acres of Parma Park were suitable for hydromulch application. Acacia provided a bid with four different pricing options ranging from \$1,800 to \$2,500 per acre, depending on

the binding agent selected. Staff selected a binding method which cost \$2,000 per acre. An emergency purchase order was issued to Acacia Erosion Control Inc. for \$120,000 for Tea Fire related slope stabilization and erosion control. The contractor applied hdyromulch to 36.5 acres of park property for a total cost of \$73,000.

BUDGET/FINANCIAL INFORMATION:

The costs were charged to the fund established for the Tea Fire. Because the fire was designated a local, state, and federal disaster, the City will seek reimbursement. Between the State Office of Emergency Services and FEMA, the City may be reimbursed up to 93.75% of eligible expenses.

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SUBMITTED BY: Robert Peirson, Finance Director

APPROVED BY: City Administrator's Office